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OR

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Attention: Burning Man Event SRP EIS BLM

RE: NVW03500-19-01 2930 (NV030.00)

Dear Mr. Hall

The Nevada Department of Transportation (NDOT) appreciates the opportunity to comment and provide recommendations on the Draft Environmental Impact Statement (DEIS) evaluating Black Rock City LLC's (BRC) request for a 10-year Special Recreational Permit (SRP) for the Burning Man Event in Pershing County, Nevada. The DEIS evaluates impacts of the BRC's event and examines the Bureau of Land Management's (BLM) proposals to limit the size of the event by population, move the event further north on the Black Rock Desert playa, or not permit the event.

NDOT has two major areas of focus with the information as brought forth by the proposal as presented by Black Rock City LLC's (BRC). These focus areas are Ground Transportation and Aviation.

NDOT comments under the National Historic Preservation Act (NHPA) on potential impacts to cultural and historic properties apply to the Black Rock City Municipal Airport (88NV) and ground access to that facility. The associated SRP for 88NV has periodically addressed the airport operation, activity, and access points throughout

the DEIS. 88NV is viewed an additional activity operated by BRC but is also ancillary to the event itself. NDOT Aviation comments and makes recommendations to BRC and the Federal Aviation Administration (FAA) regarding the privately-owned, private-use, temporary airport and heliport operations primarily due to the commercial passenger activity that was formally established in 2015. NDOT Aviation and the FAA have the highest obligation to protect the flying public regardless of the airport's status or use conditions. Since 2015 NDOT Aviation has provided formal assistance in FAA Registration of the Temporary Facility and guidance with respect to minimum design safety standards for the airport and heliports operated at the airport.

The National Environmental Policy Act (NEPA) enacted in January of 1970, and NHPA are not specifically addressed with regards to the airport operations other than safety and the facility's support of Emergency Medical Services (EMS) required at events of this type.

Relating NDOT's comments on ground transportation/airport ground access, NDOT personnel have been providing event support in the areas of traffic monitoring for event ingress/egress, assistance in emergency operations, traffic control (temporary permits) around areas of congestion such as the Empire Store, enhanced freeway service patrol along Interstate 80 and SR 447, increased maintenance and monitoring of the I-80 "Wadsworth" rest area, trash monitoring/removal pre, during and post event. NDOT staff has also provided support during emergency shut downs of the Burning Man event main gate due to fire, rain and wind/dust storm events over the history of our involvement.

NDOT provides the following comments and recommendations with respect to ground transportation/airport ground access, and the DEIS:

- 1) BRC has historically been an important economic event for the region which NDOT has supported; however, it is important that the event mitigate its impact to the roadway system. SR 447 is the only State Highway providing event ingress/egress. The facility has no shoulders or "safe pull over locations" along the route from SR 427 (Old US 40). NDOT and Washoe County are investigating the use of various grants to help provide enhanced safety features for SR 447.
- 2) This event tends to significantly increase trash on the state highway system. Suggest BRC be required to mitigate roadside trash on SR447 during and after the event. NDOT will address event roadside trash on all other

highways. NDOT will also handle trash on SR447 if it is too heavy for two people to lift or if the trash is in a place that is dangerous for BRC to access.

- 3) In the past, NDOT has contracted enhanced freeway service patrols on I-80 and self-performed service patrols on SR447 before, during and after the event. Increasing event population will potentially require increased patrols on NDOT highways. Suggest consideration of requiring BRC to contract with a contractor to develop a program to provide motorist service patrols on SR447 before, during and after the event. NDOT will continue to provide enhanced freeway service patrols on I-80.
- 4) SR447 is currently the only viable route for participants to access the event. There is no alternative access road that can handle this level of traffic. Given this roadway is prone to washouts in the fall, there should be some sort of contingency plan to accommodate event traffic if SR 447 is compromised during or after the event.
- 5) In the past, BRC had continual outreach with NDOT and its other stakeholders to review, inform and improve practices and procedures. There is a recommendation to revive these practices to improve communication, transparency, procedures, and processes.
- 6) In association with comment 5 above, NDOT would request that formal plans be developed by BRC for outside of the event. These plans should have the following primary elements:
 - a. Monitoring Plan – Along SR 447. BRC currently operates numerous monitoring devices along the SR 447. If within NDOT Right-of-Way, these devices will need permits. Shared access of this information will also help cooperating agencies assist in their various response roles.
 - b. Emergency Response Plan – Formal coordination between BRC and outside agencies during the event.
 - c. Incident Management Plan – Formal plan for incident and mass emergency evacuations.
 - d. Trash Plan – Formal plan outlining specific details for trash mitigation both on and off the playa.
 - e. Transit Plan/Mitigation – suggest BRC develop a transit plan with set milestones to reduce net trips of patrons to and from the event.

- i. To further reduce delay, emissions, and enhance safety consider ingress/egress strategies such as arrival metering, alternate route accesses, towing services, etc.
 - f. Event Participant Outreach Plan- Information outreach to include but not limited to
 - i. No Ticket, No Entry
 - ii. Trash/Debris Mitigation off playa
 - iii. Off playa services
 - iv. Event egress map
- 7) For the past several years, we have collected after action reports which included NDOT costs to service the event. Suggest sharing after action reports for the past 10-years with BLM. This will help identify the change in impacts for a 10-year period.
- 8) Based on overall mitigation strategies that are provided by BRC, NDOT request the ability to seek reimbursed for time, equipment and manpower in the future.

NDOT provides the following comments and recommendations with respect to the Black Rock City Municipal Airport (88NV) operation and safety:

Airport Overview:

The airport consists primarily of 2 unimproved dirt runways marked on the alkali lake bed, with 3 heliports, and 1 EMS launch only runway. The EMS runway and one heliport may be lighted with temporary lighting solar lighting [non-standard]. Proposed Runway 5R/23L is 6000-feet X 75-feet, Runway 5L/23R is 6272-feet X 75-feet, and the Emergency Medical Service (EMS) departure surface Runway 27 shows a magnetic heading of 270-degrees and is about 4,000-feet X 40-feet. Heliport Final Approach and Takeoff Area(s) (FATO) dimensions will be 100 x 100 feet. NDOT Aviation previously surveyed the runway-end coordinates and heliport FATO(s) centers for BRC and has provided that data directly to the FAA in conjunction with the airport registration. The Touchdown and Liftoff Area (TLOF) for the heliports is a circular area 50-feet in diameter centered in the FATO. Runway edges were marked with blue/black cones. Black surface chevrons are used at runway touchdown ends primarily as an aid to find the airport and align with the runway ends. The EMS Launch Runway was marked with orange cones. Taxiways have not been set up prior to our inspections and the black chevron were not placed out prior to our facility review. Parallel runways are staggered

with the intent of using one for landing aircraft and another for departing aircraft. Local Air Traffic control and/or advisory services are provided by volunteers as well as official weather reports. Traffic patterns illustrations are also attached as well as the airport diagram.

Scheduled Commercial Air Service operating the Beech 1900 Airplane Design Group (ADG) B-II aircraft that carry 19-30 passengers are anticipated again this year. The Beech 1900 represents an ADG B-II FAA Design Group with a wingspan of @ 58-feet, tail height of @ 15.5-feet, approach speed of @ 113-knots, and a Maximum Takeoff Weight of (MTOW) 17,100 pounds. The generic B-II aircraft ADG represents any aircraft with wingspans less than 79-feet, tail heights less than 30-feet, and approach speeds of less than 121-knots. Significant dimensional standards for Taxiways on B-II airports require that a Taxiway Object Free Area (TOFA) of 131-feet, a minimum Taxiway width of 35-feet.

Airport Comments & Recommendations:

1. NDOT Aviation recommends Airport Rescue and Firefighting (ARFF) capability and training for airport personal and volunteers. This strong recommendation in any event that utilizes commercial air service operators. Minimal training for extricating passengers from a disabled aircraft on 88NV movement area has been provided in the form of video training specific to the aircraft being operated. We encourage the readiness of ARFF equipment and trained personnel during commercial operations of any kind. NDOT also request the ready availability of fire extinguishing equipment on the aircraft starting, loading, and egress areas.
2. NDOT Aviation requests that a Temporary Flight Restriction (TFR) Area be established surrounding the event and the airport as a Notices to Airmen (NOTAM). The TFR must also permit the operation by certain aircraft, pilots, and public service agencies within the TFR. In recent years pilot training, authorization, and passenger manifests have been required by BRC and the operators of 88NV to enhance safety. Published traffic patterns and private Air Traffic Control supplement the actual operation. The TFR NOTAM is frequently used at airshows, wild fire, and large gatherings of people to control the airspace. Normally Drones (UAS/UAV) are restricted from operating within any TFR.

3. Dust free operating areas are recommended for the loading and unloading of passengers where aircraft are frequently started or shut down. This is highly recommended for helicopter operators and those associated FATO's. Hard operational surfaces (dust free) such as mats, plates, or temporary concrete pads could provide close helicopter access to the event for EMS purposes. The helicopter operator has been operating from hard surfaces in Gerlach to obtain favorable dust free environmental conditions, however heliports could be set up adjacent to the event perimeter with proper preparation.
4. Air Traffic Control (ATC) services provided in the past have been inconsistent and not to uniform standards. NDOT Aviation does not request licensed ATC personal operate the facility but suggests trained personal using standard phraseology and procedures where feasible for every airport operation.
5. NDOT Aviation encourages the continued use of pilot training, qualification, and operational permission in advance of operating at 88NV. As a private-use, private-owned temporary facility the obligation to provide a safe environment for users remains in the hands of the BRC.
6. 88NV is the busiest airport/heliport in Nevada for the 9-day period BRC operates every year. Economic benefit to the region with the participation of General Aviation and those participants who arrive by air is highly prized internationally. EMS access and services provided by the airport are essential and are historically well organized. NDOT Aviation recommends continued emphasis on aviation support activities for any event constrained by the distance and access limitations experienced at BRC. The airport acts as a reliever for both critical ordinary highway access.
7. The DEIS periodically refers to "permitting" of the airport by the FAA or NDOT. This terminology is not accurate. NDOT Aviation assists BRC in "registration" of their airports and heliports with the FAA. The activation and use of the facility for commercial operations requires the publication of accurate data for inclusion into the National Airspace System (NAS). This task is accomplished with registration of the airport and heliports. NDOT Aviation recognizes the FAA as the owner of all airspace in the continental United States under the FAA Act of 1958. Registration of the 88NV facility does provide certain airspace protections to the BRC as owner and operator of the facility.

8. Department of Homeland Security (DHS) as federal subject matter experts provided comments regarding the following:
- A. Advance Threat Assessments
 - B. Increased Security and Screening
 - C. Perimeter Fencing / Barrier Improvement
 - D. Communication Improvements
 - E. Drone – UAS / UAV – IED Incidents
 - F. Vehicle Ramming Incidents
 - G. Mass Casualty Events
 - H. Use of Canine Units
 - I. National Incident Management System (NIMS) Training
 - J. Air Quality / Dust Inhalation / Respiratory Impacts to People

All the DHS suggestions and potential mitigations have valuable merits, associated expenses, and are directly applicable to the BRC event as it is conducted within the containment area of the outer fencing. NDOT Aviation focus is solely the airport operations which are located almost entirely outside of the perimeter fence. Stakeholders, volunteers, pilots, and Air Traffic all have security at the forefront as is common in all aviation activity and airport routine operations. The tower point of observation is a 270-degree arc area for several miles. ATC coordination with BRC Rangers could be improved to provide additional security and monitor for runway incursions from vehicles and pedestrians while monitoring a large area of the perimeter.

Threats from security risks identified by DHS are largely mitigated near the airport and on the airport itself by their trained personnel and volunteer familiar with airport operations nationally. Airport/Aircraft communications are separate and isolated from the facility completely as an example. NDOT Aviation seeks to improve ARFF services, markings, signage, wind indication, and dust-control steadily as we progress with the facility development.

Other Considerations:

NDOT works very closely with the Nevada Highway Patrol (NHP) and other Law Enforcement Agencies. Comments were made via email by NHP and NDOT supports their concerns fully. Further efforts should be made by BRC to reduce the manpower impact the event has on these agencies by evaluating the ability for BRC to provide a more proactive role for those efforts along SR 447. We suggest that plans being

prepared by BRC to address our issues also include mitigation for State Law Enforcement (NHP).

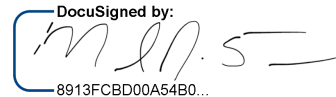
We would be happy to answer any questions you may have and discuss any comments or recommendations because of our findings herein. For aviation/air transportation, please contact myself at 775-888-7353 and my cellular number is 916-825-3102 (or you can email me at khaukohl@dot.nv.gov.) and Richard Oujevolk (OJ) at 775-834-8304 or by email at roujevolk@dot.nv.gov for any matters concerning ground transportation.

Kindest personal regards,



DS
KOH

Kurt O. Haukohl
State Aviation Manager



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